

## NOTICE OF INTENT

Department of Environmental Quality  
Office of Air Quality and Radiation Protection  
Air Quality Division

Incorporation by Reference (LAC 33:III.Chapters 1, 15, 21, 25, 29, 30, 31, 60, 61 and 64) (AQ145)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air Quality Division regulations, LAC 33:III.Chapters 1, 15, 21, 25, 29, 30, 31, 60, 61 and 64 (AQ145).

This proposed rule repeals LAC 33:III.Chapters 31, 60 (except section 6099 which will be moved and renumbered as LAC 33:III:2901.G), 61 (except Subchapter A which will be moved and renumbered as Subchapter N in Chapter 21), and 64 from LAC 33:III and to incorporate by reference into Chapter 30 federal regulations in 40 CFR Part 60 - Standards of Performance for New Stationary Sources. Revisions will also be made in LAC 33:III.Chapters 1, 15, 21, 25 and 29, so that referenced LAC cites agree with changes per this rulemaking, and to add 40 CFR references. These changes will expedite both the EPA approval process, and state implementation of delegation of authority for the NSPS program. The NSPS and the authority for EPA to delegate authority of that program to the state is established in the Clean Air Act Amendments of 1990, Section 111. This rulemaking is applicable to stationary sources statewide.

This proposed rule meets the exceptions listed in R.S. 30:2019(D)(3) and R.S. 49:953(G)(3), therefore, no report regarding environmental/health benefits and social/economic costs is required.

A public hearing will be held on September 26, 1996, at 1:30 p.m. in the Maynard Ketcham Building, Room 326, 7290 Bluebonnet Boulevard, Baton Rouge, LA 70810. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate please contact Patsy Deaville at the address given below or at (504) 765-0399.

All interested persons are invited to submit written comments on the proposed regulations. Commentors should reference this proposed regulation by AQ145. Such comments should be submitted no later than October 3, 1996, at 4:30 p.m., to Patsy Deaville, Investigations and Regulation Development Division, Box 82282, Baton Rouge, LA, 70810 or to FAX (504) 765-0486.

Copies of this proposed regulation can be purchased at the above referenced address and also at the Office of the State Register, 1051 North Third Street, Baton Rouge, LA 70802 at (504) 342-5015. Contact the Investigations and Regulation Development Division at (504) 765-0399 for pricing information. Check or money order is required in advance for each copy of AQ145.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 7290 Bluebonnet Boulevard, Fourth Floor, Baton Rouge, LA 70810; 804 31st Street, Monroe, LA 71203; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 3519 Patrick Street, Lake Charles, LA 70605; 3501 Chateau Boulevard West Wing, Kenner, LA 70065; 100 Asma Boulevard, Suite 151, Lafayette, LA 70508.

Bodungen

Secretary

Gus Von

Assistant

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Incorporation by Reference**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL

GOVERNMENTAL UNITS (Summary)

Incorporation by reference eliminates the need to codify federal regulatory requirements, verbatim, into Louisiana regulations, and thereby eliminates extra volumes of printed regulations. The result is that the same regulations will be enforced without duplicating the printing of those regulations. The outcome will be savings to state government by eliminating a volume of regulations that would be purchased (or printed). A significant reduction in man-hours will be achieved by eliminating the need to type, proof, and correct federal regulations promulgated as state regulations.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated impact on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Incorporation by reference eliminates the need to codify federal regulatory requirements, verbatim, into Louisiana regulations, and thereby eliminates extra volumes of printed regulations. The result is that the same regulations will be enforced without duplicating the printing of those regulations. The outcome will be a savings to the regulated community by eliminating a volume of regulations that would be purchased (or printed).

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no effect on competition and employment.

Gus Von Bodungen  
Assistant Secretary  
9605#045

Legislative Fiscal Officer

Richard W. England  
Assistant to the